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EXAMINER

GRAHAM, CLEMENT B

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/016,575	Applicant(s) SARFRAZ ET AL.	
	Examiner Clement B. Graham	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 9/9/09.

2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 31-48 and 52-56 is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 31-48 and 52-56 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. Claims 31-48, 52-56, remained pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 31-48, 54-56, are rejected under 35 U.S.C. 102(c) as being anticipated by Ogasawara et al (Hereinafter Ogasawara US Pub NO: 2002/0016739 A1).

As per claim 31, Ogasawara discloses a method of providing electronic receipts to a remote device comprising:

receiving, at a server, a receipt card account number (“i. e, IC Card with inherent account number”) associated with a receipt card, wherein:

the receipt card identifies an electronic address of a database and includes information that identifies the receipt card account number, the database is communicatively coupled to the server; and the receipt card account number is not a payment account (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033) causing the database to be populated with electronic receipts associated with the receipt card account number, wherein each electronic receipt comprises:

a list of items purchased during a financial transaction, and unique transaction identification information for the financial transaction, receiving, at the server, a request, from the remote device, for a specific electronic receipt associated with specific the receipt card account number, accessing, at the server, the specific electronic receipt from the database and transmitting, from the server to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 32, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 33, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 34, Ogasawara discloses wherein said unique transaction identification information further comprises:
the identity of the retailer who participated in said financial transaction, a transaction number, a gross amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 35, Ogasawara discloses further comprising:
receiving, at the server, a request for a plurality of receipts associated with the specific receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 37, Ogasawara discloses further comprising:
receiving, at the server, a request for a transaction history associated with a receipt card account number; and sending, at the server, the requested transaction history to a computer system located at a retailer (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 38, Ogasawara discloses a tangible computer readable storage medium including computer executable instructions, the instructions that, when executed by a server, cause the server to provide electronic receipts by a method comprising:
instructions for receiving a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number ("i. e, IC Card with inherent account number"see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) and instructions for accessing one--the specific electronic receipt from a database of electronic receipts wherein the database is coupled to the

server, and wherein ~ the receipts in the database is are associated with a receipt card account number, and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) wherein the receipt card account number associated with a receipt card account is not a payment account, and wherein each receipt includes a list of items purchased during a transaction and unique transaction identification information for each transaction and instructions for transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 39, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 40, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 41, Ogasawara discloses wherein said unique transaction identification information further comprises:
t-he an identity oft-he a retailer who participated in said transaction, a transaction number, a gross amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 42, Ogasawara discloses further comprising:
instructions for receiving a request for a plurality of receipts associated with the specific receipt card account number (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 44, Ogasawara discloses further comprising:
instructions for receiving a request for a transaction history associated with the specific receipt card account number and instructions for sending, at the server, the requested transaction history

to a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 45, Ogasawara discloses a system for providing electronic receipts to a remote device comprising:

a processor and computing memory communicatively coupled to the processor, the computing memory having stored therein computer executable instructions, the system configured to perform the following:

receiving a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number ("i. e, IC Card with inherent account number"see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) and accessing the specific electronic receipt from a database of electronic receipts, wherein the database is communicatively coupled to the server, and wherein the receipts in the database is are associated with a receipt card account number, and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number, wherein the receipt card account number associated with a receipt card account is not a payment account, and wherein each receipt includes a list of items purchased during a retail transaction and unique transaction identification information for each transaction and transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 46, Ogasawara discloses wherein said request for said specific electronic receipt is from a computer system located at a retailer who participated in a transaction associated with said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 47, Ogasawara discloses wherein said request for said specific electronic receipt is from a customer's computer system (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 48, Ogasawara discloses wherein said unique transaction identification information further comprises:

an identity of the retailer who participated in said retail transaction, a transaction number, a gross

amount, a sales tax, a date of said transaction, and a time of said transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 54, Ogasawara discloses an apparatus for providing electronic receipts to a remote device comprising the means for receiving a request, from the remote device, for a specific electronic receipt associated with a specific receipt card account number (“i. e, IC Card with inherent account number”see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) means for accessing one-of the specific electronic receipt from a database of electronic receipts wherein the database is coupled to the server, and wherein the receipts in the database is are associated with a receipt card account number and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number, wherein the receipt card account number associated with the receipt card account is not a payment account and wherein each receipt includes a list of items purchased during a financial transaction and unique transaction identification information for each transaction and means for transmitting, to said remote device, information indicative of said specific electronic receipt (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 55, Ogasawara discloses a method of storing transaction information, the method comprising:
associating a receipt card with a user and a receipt card identification number (“i. e, IC Card with inherent account number”) wherein the receipt card identification number is associated with a receipt card account, wherein the receipt card gave comprises a magnetic strip encoded with information indicative of the receipt card identification number, wherein the receipt card account is associated with a plurality of electronic receipts, wherein the receipt card account number is not a payment account (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4) receiving, at a server, an electronic receipt including transaction details for a transaction made by the user wherein the transaction details include a unique transaction identification, a list of items purchased and the receipt card identification number and storing, at a database, the electronic receipt in association with the receipt card account, wherein each receipt stored in the database is associated with unique

transaction identification for each transaction (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

As per claim 56, Ogasawara discloses wherein the receipt card comprises a plastic housing having a front face whereon the receipt card identification number is embedded and a rear face whereon the receipt card identification number is encoded in a magnetic strip (see column 3 para 0029 and para and column 2 paras 0023-0025 and column 1 para 0009 and column 4 para 0033 and fig: 4).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 52-53, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kramer et al (Hereinafter Kramer US Patent NO: 6, 324,525) in view of Shkedy US Patent 6, 236, 972

As per claim 52, Kramer discloses a receipt card method, the method comprising: generating point of sale data for a transaction, wherein the point of sale data identifies an item and a purchase price for the item, receiving a receipt card on which is imprinted an account number that identifies an electronic address of a receipt card server and identifies a receipt card account number, receiving a form of payment for the transaction, wherein the form of payment is one of cash and credit, wherein the receipt card is not a form of payment; generating unique transaction identification information; generating an electronic receipt that identifies the point of sale data, the receipt card account number, the unique transaction identification information, and the form of payment and transmitting the electronic receipt to the electronic address of the receipt card server (see column 103 lines 7-10 and lines 32-48 and column 88 lines 24-28 and column 92 lines 49-53 and column 102 lines 31-45).

Kramer fail to explicitly teach and transmitting the electronic receipt to the electronic address of the receipt card server.

However Shkedy discloses an example of such a system is the CertAuthority Solution manufactured by CertCo LLC. This system also comes with an optional temper evident hardware based private key that is easy to transport and store securely. An example of a settlement server is the Integrated Commerce Service manufactured by Open Market Inc. It provides back-office services necessary to run Web-based businesses. Services include on-line account statements, order-taking and credit card payment authorization, credit card settlement, automated sales tax calculations, digital receipt generation, account-based purchase tracking, and payment aggregation for low-priced services (see column 16 lines 45-56 and column 4 lines 15-33).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Kramer to include and transmitting the electronic receipt to the electronic address of the receipt card server in order to match a transaction with a receipt.

As per claim 53, Kramer discloses wherein said generating unique transaction identification information further comprises at least one of an identity of the retailer, a transaction number, a gross amount, a sales tax amount, a date and a time (see column 103 lines 7-10 and lines 32-48 and column 88 lines 24-28 and column 92 lines 49-53 and column 102 lines 31-45).

Conclusion

RESPONSE TO ARGUMENTS

5. Applicant's argument filed 3/1/2010 has been fully considered but they are not persuasive for the following reasons.

6. Applicant's argument that Kramer and Shkedy fail to teach or suggest "receiving, at the server, a request, from a remote device, for a specific electronic receipt associated with a specific receipt card account number from accessing, at the server, one of the receipts, from a database of electronic receipts, that is associated with the specific receipt card account number and wherein the database is coupled to the server, and wherein each receipt is associated with, a receipt card account number, and a receipt card that identifies an electronic address of the database and information that identifies the receipt card account number, wherein the receipt card account number associated with a receipt card account is not a payment account, and wherein each

receipt includes a list of items purchased during a financial transaction, and unique transaction identification information for each” the Examiner disagrees with Applicant” s .

In response to Applicant” s arguments Kramer teaches a file or directory of files comprising a wallet which includes personal information and information about multiple payment methods and account numbers, the receipt and the transaction record can automatically be transferred to the Wallet file once the payment is completed.

A user or customer interfaces with a payment manager via a user interface that responds to and sends a variety of transactions. The transactions include obtaining payment record, receipt, acceptance of the payment instrument. In turn, payment manager sends transactions and receipts to wallet manager and receives payment instruments.

It would have been obvious that the wallet is being used to receive transactions and receipts from a payment manager via a server..

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art Unit
3691

CG

June 1, 2009